



DEPARTMENT OF PUBLIC SAFETY
INTRA-DEPARTMENTAL CORRESPONDENCE



DATE: APRIL 1, 2015

FROM: CHIEF PETE N. KASSETAS *PK by cmm*
DEPUTY SECRETARY - OPERATIONS

TO: ALL COMMISSIONED PERSONNEL

SUBJECT: DIRECTIVE 2015-03 RETURN OF FIREARMS USED IN AN OIS

The purpose of this correspondence is to address the return of firearms that have been taken as evidence in officer involved shooting (OIS) investigations. Historically, after an OIS criminal case *involving another department* has been adjudicated or declined for prosecution, the firearm has been released to that department for them to handle as they wish. If the OIS investigation involved a *DPS officer*, the firearm has been held in evidence until the criminal *and* civil cases have been closed.

Effective immediately, all firearms will be returned to which department they belong upon adjudication, or declination for prosecution, of the **criminal** case. If the weapon is a DPS weapon, it will be returned either to the officer to whom it is assigned, or the department armorer, whichever is appropriate. If a civil case is pending, the weapon shall be documented before it is returned. This documentation, such as pictures and/or lab reports, shall be maintained until *all* legal requirements have been satisfied.

PNK/cmm